



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Infrastructure and Land Use Committee

March 14, 2006

9:30 AM

Commission Chamber

Charles Anderson, CPA
Commission Auditor

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Miami, Florida 33128
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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

Legislative Analysis

**Infrastructure and Land Use Committee
Meeting Agenda**

March 14, 2006

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

Item Number(s)

2(K)	3(B)
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Supplementary Information for the below listed item is provided for your consideration in this legislative analysis.

3(G)

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
Tim Riera-Gomez, Senior Legislative Analyst
Troy Wallace, JD, Legislative Analyst

LEGISLATIVE ANALYSIS

***RESOLUTION PROVIDING THE APPROVAL OF A MUTUAL AID AGREEMENT
WITH FLORIDA'S WATER/WASTEWATER AGENCY RESPONSE NETWORK***

Water and Sewer Department

I. SUMMARY

This resolution provides the approval of the Florida's Water/Wastewater Agency Response Network (FlaWARN) Mutual Aid Agreement.

II. PRESENT SITUATION

The Emergency Management Act provides local governments within the State the authority to make arrangements for mutual assistance during emergencies. Miami-Dade County currently participates in the Statewide Mutual Aid Agreement. This agreement provides assistance to municipalities within the State of Florida during vulnerable times caused by a disaster or emergency. This agreement takes into account all Municipal Assets and Department Services that may be destroyed, disrupted or in need of additional assistance to overcome certain circumstances. Transactions within this agreement are monitored and managed by Florida's Division of Emergency Management.

III. POLICY CHANGE AND IMPLICATION

FlaWARN's Mutual Aid Agreement is slightly different than the Statewide Mutual Aid Agreement, while FlaWARN's agreement provides assistance with water resources, the statewide agreement provides a method assisting an array of resources during an emergency.

Florida's Water/Wastewater Agency Response Network (FlaWARN) provides an organization and process for state-wide member utilities, to provide assistance and facilitate additional support during times of an emergency. The network consists of a secure web-based data bank of available resources and a mutual agreement to be most efficient and reduce bureaucratic obstacles during urgent times of emergency.

FlaWARN has stated they will work with various industry groups and public agencies linking the Florida Water community including:

- The latest interactive models for security protocols to aid in continual risk assessment and updating ERPs.
- A series of continually updated boiler-plate public information and press release templates tailored to meet the latest developments and provide immediate public response.

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- Quarterly regional and annual statewide meetings to bring together both significant State authorities and national interests, providing the best and latest insights to power the agencies ongoing preparedness process. These meetings will include workshops in utilizing FlaWARN to the agencies best advantage.
- Technologies to facilitate sharing of information between members.
- Outreach - Through the existing UF/TREEO network, and other cooperating entities, FlaWARN will offer onsite emergency preparedness and related regulatory liaison services to requesting agencies.

FlaWARN currently has 142 member utilities, 56 of which have signed the Mutual Aid Agreement (MAA). (See Attachment 3: FlaWARN Member List) Becoming a member of FlaWARN seems to create no responsibility or obligation that must met. In addition to becoming an official member, FlaWARN has asked that their members sign the Mutual Aid Agreement to express their good will with the understanding that their actions are voluntary and not bound to render services.

FlaWARN's Mutual Aid Agreement addresses:

1. The process participating Municipalities and Agencies should use to request assistance;
2. The process participating Municipalities and Agencies should use to respond to requests and volunteer their services/resources;
3. The process for deploying services;
4. The terms and conditions for reimbursable expenses, materials & supplies, payment, disputed bills, and liability concerns.

IV. ECONOMIC IMPACT

- There are no membership fees or costs associated with becoming a member.

V. COMMENTS AND QUESTIONS

1. During an emergency which organization and agreement has priority for allocating services and resources first?
2. It may be beneficial for FlaWARN's Mutual Aid Agreement to define the "Period Assistance" to include the time beginning when the request is actually made until the completion of the assignment, to compensate for the time, personnel and funding for the mobilization and demobilization of resources and services.

(The FlaWARN currently defines the "Period Assistance" as the period of time beginning with the departure of personnel and the ending upon the return of personnel.)

- Attachment 1: Florida Water Resources Journal Article

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- Attachment 2: FlaWARN Committees
 - Note: The FlaWARN Steering Committee reviews all suggestions for future improvements, including comments forwarded from member utilities' attorneys, and may revise the MAA as needed, on a yearly basis.
- Attachment 3: FlaWARN Member List



FLORIDA WATER RESOURCES JOURNAL

SERVING FLORIDA'S WATER AND WASTEWATER INDUSTRY SINCE 1949

Buena Vista Publishing
1402 Emerald Lakes Dr.
Clermont, Fl. 34711

ads@fwrj.com

Legacy from 2004 Hurricane Season: FlaWARN Formed to Expedite Mutual Aid

From the FlaWARN Steering Committee

A record hurricane season in 2004 brought four major hurricanes to Florida and provided many valuable lessons for water and wastewater utilities. The most obvious lesson to all of us who experienced the storms is that utilities assisting utilities directly is the most effective way to keep our systems up and running.

What is remarkable is that despite a lack of formal agreements during these storms, scores of volunteers and truckloads of equipment and supplies were moved and shared among utilities all over Florida. Most of the mutual aid was done on a verbal handshake by e-mail, phone, or sometimes on a pickup truck tailgate behind a church where the volunteers were sleeping.

Those of us who pay dues to our member and trade associations can be proud of how well these organizations cooperated, communicated, and coordinated statewide water and wastewater mutual aid programs with no written agreement.

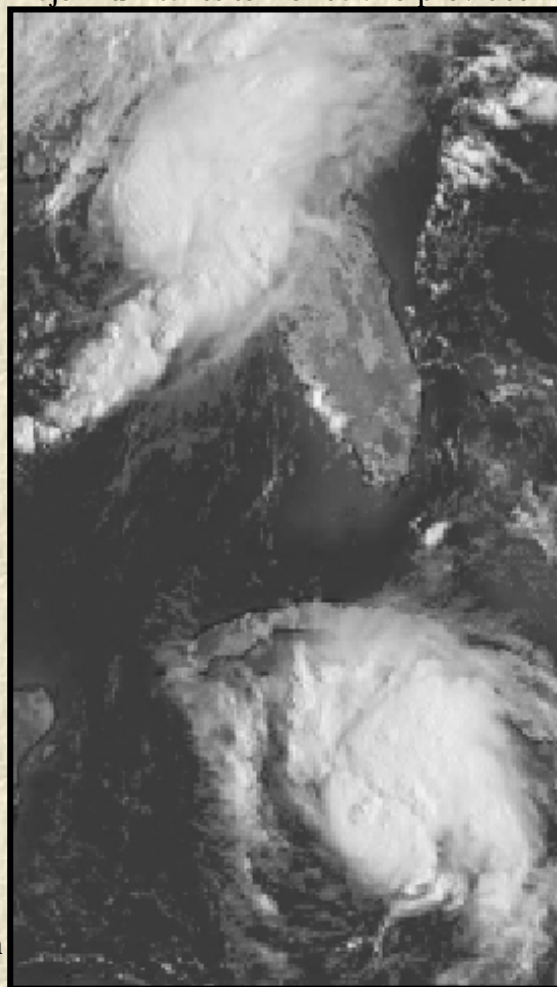
The Florida Department of Environmental Protection (FDEP) participated as a working partner with all the agencies and associations. Together they collaborated to identify and communicate needs and put organizations together to work out the details. There were many heroes in the plants, as well as in the field, and most of them belong to one or more of the following groups:

- Florida Water Environment Association
- Florida Section American Water Works Association
- Florida Rural Water Association
- Florida Water & Pollution Control Operators Association
- Florida Department of Environmental Protection

In 2005, these same groups have joined together with the University of Florida TREEO Center to formalize the 2004 volunteer mutual aid efforts under the name of Florida Water/Wastewater Agency Resource Network, or FlaWARN. From now on, FlaWARN will be synonymous with mutual aid for water and wastewater facilities in Florida.

The concept began in April 2004 in the Jacksonville FDEP offices when Ed Cordova of FDEP proposed that a mutual aid program be established between water and wastewater utilities. A near miss by Hurricane Floyd and the events of 9/11 were still fresh in everyone's mind, so support by utilities in the area was strong.

Cordova's concept included the formation of an organization to coordinate mutual assistance for both manmade and natural disasters that required immediate response to ensure public safety. Scott Kelly of JEA and Doug Prentiss of GRU were appointed as chairs to the



security and mutual aid committees respectively.

One year later during the 2005 Florida Water Resources Conference (FWRC), the concept became a reality. The first steering committee was installed, a mutual aid agreement enacted, and a Web site set up. FlaWARN had been formed.

FlaWARN's primary purpose is to provide pre-existing agreements that establish ground rules for mutual aid needed for swift recovery from storm-related events. Lessons learned in Florida during 2004 were included in the mutual aid agreement.

The Florida program is based on a similar program in California called CalWARN. That group was kind enough to work with Florida on the development of the concepts of the Florida Program.

FlaWARN is open to all Florida water and wastewater utilities. Copies of the mutual aid agreement and lists of steering committee members and mutual aid members are already posted to the Web site at www.FlaWARN.org.

Participation in all aspects of the program is voluntary. No organization is obligated to participate simply because it is a member. There are no fees to join FlaWARN.

An important feature of FlaWARN is that it will work with the EOC process, not in conflict with it. Leo Lachat from the Florida Department of Community Affairs Division of Emergency Operations attended the first FlaWARN meeting on April 25. Lachat is the field operations manager for the state emergency operations centers, and both he and Craig Fugate endorse mutual aid efforts of this type.

Both the EOCs and the water and wastewater business learned from last year's storms and have committed to work together to improve our response in the future. Also, emergency operation centers need our support. A shelter with no water and sewer is not a shelter.

Water and wastewater agencies with representatives inside the EOC during the storms benefited from the effort. We need to continue to build bridges to our EOCs by communicating our role in shelter support, drinking-water issues, and SSO prevention. Water issues for fire suppression must also be considered and discussed with EOC planners.

The significant advantage of signed mutual aid agreements is that when an emergency has been declared, the response can begin in a few hours instead of days or weeks. Our program includes information, systems, and rates suggested by FEMA but allows for special agreements to be incorporated where needed. Our mutual aid agreement should not be construed as a waiver of any sovereign immunity or other exemption or limitation on liability that a participating utility may enjoy.

The U.S. Environmental Protection Agency is currently funding FlaWARN for three years through the FDEP and TREEO. While the program started as an FDEP regional effort, the need throughout the state became apparent immediately. For more information, visit the FlaWARN Web site online or contact the University of Florida's TREEO Center.



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Committees

Steering Committee		
Name	Representing	Email Address
Scott Kelly, Chairman JEA	At Large	KellSD@jea.com
Gary Williams, Vice-Chairman Florida Rural Water Association	FRWA	Gary.Williams@frwa.net
Rob Hungate Orlando Utilities Commission	FSAWWA	Rhungate@ouc.com
Ray Hanson Orange County	FWEA	ray.hanson@ocfl.net
Tom King NASA	FWPCOA	Tkingh20@aol.com
Ed Cordova Florida Department Environmental Protection	FDEP	Ed.Cordova@dep.state.fl.us
Brian Matthews City of Palm Coast	SEDA	bmatthews@ci.palm-coast.fl.us
Richard Griswald Destin Water Users	At Large	rgriswold@dwuinc.com
Brian Wheeler TOHO	At Large	bwheeler@kissimmee.org

- Security Committee
 - Scott Kelly, JEA, Chair, KellSD@jea.com

- Mutual Aid Agreement Committee
 - Doug Prentiss, GRU, Chair, prentissdb@gru.com

For more information, contact FlaWARN at info@flawarn.org



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Member List

The following utilities are members of FLAWarn:

Utility	MAA on File
AL/MS AWWA	No
Alachua County Health Department	No
Bay Laurel Center Community Development Center	No
Brevard County Utility Services Department	No
Broward County Water/Wastewater Services	No
Cedar Key Water & Sewer Dist	Yes
Charlotte County Utilities	No
Charlotte Harbor Water Assn. Inc.	Yes
City of Bartow Wastewater	No
City of Atlantic Beach	Yes
City of Bartow	No
City of Boca Raton Utility Services	No
City of Boynton Beach	Yes
City of Bradenton	No
City of Chiefland	Yes

City of Cocoa Utilities	Yes
City of Dunedin Water / Wastewater	Yes
City of Dunedin Water/ Wastewater Treatment Plant	Yes
City of Eustis	No
City of Fellsmere	Yes
City of Flagler Beach	No
City of Fort Lauderdale	Yes
City of Fruitland Park	Yes
City of Ft. Myers	No
City of Green Cove Springs	Yes
City of groveland	Yes
City of Haines City	No
City of Holly Hill	No
City of Hollywood	No
City of Inverness	No
City of LaBelle	No
City of Lake City	Yes
City of Largo WWRF	No
City of Live Oak	Yes
City of Longwood	No
City of Margate	Yes
City of Melbourne	No
City of Milton	Yes
City of Miramar	No
City of Mount Dora	No
City of Naples	No
City of Palm Coast	No
City Of Plant City	No

City of Plantation Utilities Department	No
City of Pompano Beach Utilities	No
City of Port St Joe	Yes
City of Punta Gorda Utility Department	No
City of Sanford	No
City of Sanibel	No
City of St. Cloud	Yes
City of St. Petersburg Water Resources Department	No
City of Starke	Yes
City of Stuart	Yes
City of Tamarac	No
City of Tampa Wastewater Department	No
City of Tampa Water Department	No
City of Titusville	Yes
City of Titusville Water Resources Department	Yes
City of Venice Utilities	Yes
City of Vero Beach	Yes
City of Waldo	Yes
City Of Wildwood	Yes
City of Winter Park	Yes
City of Winter Springs	No
Clay County Utility Authority	Yes
Collier County Water-Sewer District	Yes
Colorado Dept. of Public Health & Environment	No
Community Resource Group-RCAP	No
Coral Springs Improvement District	No
Coral Springs Utilities	No
Crestridge Utility Corporation	No

Damon Utilities, Inc.	No
Department of Homeland Security	No
Destin Water Users, Inc.	Yes
Emerald Coast Utilities Authority	No
Emerald Coast Utility Authority	No
Englewood Water District	No
EPA Region I - Boston	No
Everglades Shores PWS# 5110087	No
Fijian RV Park, Inc.	No
Florida Department of Environmental Protection	No
Florida Keys Aqueduct Authority	Yes
Florida Rural Water Association	No
Florida Section AWWA	No
Fort Pierce Utilities Authority	Yes
Gainesville Regional Utilities	Yes
Gasparilla Island Water Association, Inc.	Yes
Greater Pine Island Water Association. Inc.	No
Gulf Coast Electric Cooperative, Inc.	No
Hernando County Utilities	Yes
Holiday Gardens Utilities, Inc.	No
Hudson Water Works	No
IMMOKALEE WATER & SEWER DISTRICT	No
Indian River County	Yes
JEA	Yes
Lake City Water Treatment Facilities	Yes
Lakeport Water Assn., Inc.	No
Lee Cypress Water & Sewer Co-Op	No
Loxahatchee River District	No

Manatee County Utility Operations Department	No
Marco Island Utilities	No
Martin County Utilities & Solid Waste Department	Yes
MSM Utilities, LLC	No
Ocala Water & Sewer Department	Yes
Okaloosa County Water & Sewer System	No
Okeechobee Utility Authority	No
Orange County Utilities	Yes
Orange County Utilities Water Division	Yes
Orlando Utilities Commission (OUC)	Yes
Palm Beach County Water Utilities Department	Yes
Parkland Utilities, Inc	No
Pinellas County Utilities	No
Port St. Lucie Utility Systems Department	Yes
Reedy Creek Improvement District	Yes
Seacoast Utility Authority	Yes
Seminole Campground	No
Seminole County Environmental Services	No
South Central Regional Wastewater Treatment & Disposal Board	No
South Shore Water Association, Inc.	No
South Walton Utility Co., Inc.	Yes
Southeast Desalting Association	No
Southeast Rural Community Assistance Project, Inc	Yes
St. James Island Utility Compnay	No
St. Johns Couny Utility Department	Yes
Sundial Utilities, Inc	No
Tallahassee Water Utility	No
Tampa Bay Water Authority	No

Texas Section American Water Works Association	No
The Island Water Association, Inc.	Yes
Toho Water Authority	Yes
Town of Jupiter Utilities	Yes
TOWN OF LADY LAKE	Yes
Town of Lake Placid Utilities Department	Yes
Town of Longboat Key	No
Town of Managonia Park	No
Town of Palm Beach Water Resources	No
TREEO	No
Trenton Water & Sewer Department	No
US Environmental Protection Agency	No
Utilities Commission of New Smyrna Beach	No
Volusia County Water Resources and Utilities	No
Zenith City (Training Use Only)	No

For more information, contact FlaWARN at info@flawarn.org

LEGISLATIVE ANALYSIS

ORDINANCE REQUIRING EMERGENCY RESPONSE PLAN FROM FOOD STORES LOCATED IN THE INCORPORATED AND UNINCORPORATED AREAS FOR THE SUPPLY OF FOOD DURING A LOCAL STATE OF EMERGENCY; ESTABLISHING DEFINITIONS; PROVIDING FOR MINIMUM CONTENTS OF THE PLAN INCLUDING THE REQUIREMENT OF THE UNINTERRUPTED SUPPLY OF POWER; PROVIDING FOR APPROVAL BY THE DIRECTOR OF THE OFFICE OF EMERGENCY MANAGEMENT; PROVIDING FOR EXEMPTIONS FOR LIMITED PERIODS; ESTABLISHING PENALTIES AND ENFORCEMENT PROCEDURES, AMENDING CHAPTERS 8B AND 8CC OF THE CODE, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Chairman Joe A. Martinez
Commissioner Carlos A. Gimenez
Commissioner Javier D. Souto

I. SUMMARY

This ordinance establishes emergency response requirements for Retail Food Stores larger than 40,000 square feet, to provide for the sale of food and supplies to the general public within 24 hours of a declaration of a local state of emergency.

Further, this ordinance requires the retail establishment to develop a “Food Store Emergency Plan” by June 1, 2006, including:

- An Alternate Power Source (APS) sufficient to provide for the sale of items to the public
- A schedule showing the purchase or lease of an APS and required permits and/or certificates of occupancy not later than June 1, 2006
- A maintenance plan for equipment related to the APS
- Plans for recall of personnel needed for distribution
- Identification of person having operation control of the store or emergency contact person charged with implementing the Emergency Plan

The County Office of Emergency Management (OEM) is charged with reviewing and enforcing the implementation and execution of these Emergency Response Plans.

II. PRESENT SITUATION

Section 8B-10, of the Codes of Miami-Dade County, requires county licensed private transportation services providers to participate in the evacuation of Residential Healthcare Facilities in the event of a declaration of an emergency.

The County Commission, as well as the State Legislature, are currently considering similar pieces of legislation as it relates to requirements of Gasoline Service Stations to have Alternative Power Sources and have the ability service the General Public within 24 hours of a declaration of local emergency. **(SEE ATTACHMENT)**

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III. POLICY CHANGE AND IMPLICATION

This proposed ordinance amends Chapter 8(B) of the Code of Miami Dade County to require certain measures of private retail food establishments larger than 40,000 square feet, in the event of a declaration of a local state of emergency.

This ordinance also amends Chapter 8(CC) of the Codes of Miami Dade County, and establishes a Civil Penalty of \$500 per day in the event of a failure to comply with the requirements established herein.

IV. ECONOMIC IMPACT

The fiscal impact incurred by the Office of Emergency Management is indeterminable at this time. The cost of overseeing this program will depend on the number of locations which will need to be monitored, the utilization of other County Departments such as Team Metro to assist in the inspections of these establishments, as well as the need for additional staffing to carry out the provisions of this section.

V. COMMENTS AND QUESTIONS

ATTACHMENT 1: Article from the *Miami Herald*, March, 9, 2006, detailing Similar Legislation with regards to Gasoline Service Stations and the modifications made to this legislation in the Florida Senate. **This legislation currently preempts more stringent standards at the local level.**

Handwritten page 6, of this item, contains two deadline dates which have already passed. These dates will need to be amended to allow for the establishments to comply with the provisions of this ordinance.

ATTACHMENT 1

Lawmakers change tune on gas-pump generators

Shying away from forcing gas stations to own generators, lawmakers are ready to give tax breaks to rewire gas stations to make them generator-ready.

BY MARC CAPUTO

mcaputo@MiamiHerald.com

TALLAHASSEE - Five months after Hurricane Wilma blew through, the political will to require power generators at nearly every gas station has lost its spark in the Legislature.

State lawmakers said Wednesday it was too expensive, too risky and, according to some, too liberal a notion to force so many stations to invest in a product that costs up to \$50,000 -- and that could be ruined along with the station during a hurricane.

Instead, lawmakers want to offer tax breaks for owners to re-wire their stations and make them ready for a generator trucked from a safe spot. Owners of 10 gas stations in a single county would be required to have one generator, and port operators and fuel distributors must have generators capable of pumping fuel for three days. Maximum tax credit: \$15,000 per location.

Some Florida cities -- particularly Pembroke Pines and Hallandale Beach -- opposed the gas station bill because it didn't go far enough and prevents local governments from enacting tougher rules. Hallandale Beach, for instance, passed a gas-station generator law in the days after Wilma when Republican and Democratic lawmakers made big promises.

"This makes requirements for wiring at gas stations," said Lawrence J. Smith, a former Democratic congressman and a lobbyist for Hallandale and Pembroke Pines. ``There's no mandate they be open. There's no mandate they pump gas. How can you have a bill that doesn't mandate you go into operation?"

PROMPT RESPONSE

The statement prompted a swift response from Sen. Alex Diaz de la Portilla, a Miami Republican.

"A free market will dictate that," Diaz de la Portilla said, adding that he doesn't believe government should interfere with business. Diaz de la Portilla co-sponsored the bill that passed his domestic security committee Wednesday. A similar bill passed another House committee, as a number of lawmakers kvetched that they didn't like telling private business what to do, but didn't want to give tax handouts, either.

All the while, Smith raised the same objections: Too few people will get too little gas without enough generators.

The response: People should stay home, said David Mica, executive director of the Florida Petroleum Council.

"This is not going to mean that we automatically have gas and that you should immediately go out on the road," Mica said. Instead, he said, the bill seeks to make a supply of gas available for an emergency situation.

REQUIREMENTS

According to a staff analysis, the bill requires:

- Fuel distributors, such as those in Port Everglades, which supplies 40 percent of Florida's fuel, to have generators by Dec. 31 that can be turned on 36 hours after a storm and can operate for three days.

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- Generator-ready rewiring at gas stations that are a half-mile from state and federal highways or evacuation routes. Cost to rewire: up to \$8,000.
- Gas stations built or significantly renovated after July 1 to be generator ready.
- Rewiring at stations with 16 or more pumps in large counties, such as Miami-Dade and Broward, and at stations with eight or more pumps in counties such as Monroe by Dec. 31. Cost to rewire a 10-pump station and equip it with a generator: About \$65,000.

` LUCRATIVE BUSINESS'

"So this is a very lucrative new business?" asked Sen. Frederica Wilson, a Miami Democrat. A lobbyist responded that it was profitable for electrical contractors, but that people ``can't just have your neighbor do it."

Diaz de la Portilla laughed: ``Obviously he doesn't live in Miami."

Later, the committee unanimously approved another Diaz de la Portilla hurricane-related bill, requiring 75-foot-tall condominiums to have generator-powered elevators. But he said it would be changed to provide subsidies to those buildings.

Joyce Goodman-Guenther, an attorney representing about 50 condominiums, said most new condominiums have generator-powered elevators and that no one opposes the idea. They just don't want to get stuck with a hefty new bill.

"If suddenly they hear they need to get something done and there's no resource to accomplish it, they'll panic," she said.

Herald staff writer Gary Fineout contributed to this story.

INLUC ITEM 3(G)**March 14, 2006****ADDITIONAL INFORMATION**

<u>Item#</u>	<u>Subject Matter</u>	<u>Comments/Questions</u>
3E	Develop Plan for establishing Electrical Grids along Roadways	<ul style="list-style-type: none">• This resolution urges the Florida Legislature, Florida Public Service Commission and FPL to develop a plan for establishing electrical grids along major roadways where a concentration of good and services exists so that these grids can be reinstated for restoration to assist the community in recovery efforts.• These grids would be prioritized to enable power to be returned to these highly traveled areas more expeditiously• On October 24, 2005, Hurricane Wilma left 90% of Miami-Dade County residents and businesses without electrical power making it very challenging for government to initiate in recovery.• FPL already has grids prioritized for service restoration for police stations, fire stations and hospitals.• On January 30, 2006 FPL presented to the Florida Public Service Commission its Storm Secure Plan, a five-point program to substantially strengthen the company's electric grid against future hurricanes• The five-point plan includes: <u>hardening electrical network</u> (wind velocity criteria sustaining up to 150 mph), <u>investing in underground conversions</u>, <u>pole inspections</u>, <u>line clearing/vegetation management</u> and <u>post hurricane repairs/targeted facility upgrades</u>.• See news release attachment.

ATTACHMENT 1

Financial News

FPL Announces Storm Secure, A Five-Point Program to Strengthen the Electric Grid

JUNO BEACH, Fla., Jan 30, 2006 (BUSINESS WIRE) -- Florida Power & Light today presented to the Florida Public Service Commission its Storm Secure Plan, a five-point program to substantially strengthen the company's electric grid against future hurricanes.

Since the end of last year's hurricane season, FPL has been working on initiatives to bolster its electric network, especially in light of forecasts for continued heightened hurricane activity.

"Just as Florida's weather is changing, so are we. We are not going to get there overnight, but we are committed to getting better, every single day," said FPL President Armando Olivera. "Our customers have gone through two horrible years of storms, and we understand their frustration and dissatisfaction. We can't prevent hurricanes. Nor can we prevent all the damage that comes with them. But there are additional steps that we can take to prepare for these hurricanes, to reduce the number of storm-related outages, and to restore service quickly. Our Storm Secure plan does just that."

"After much discussion with local leaders, legislators, regulators and other state leaders, we have developed a five-point plan to strengthen our electrical system. These are near-term and long-term commitments, and working together, we will make a difference in better serving our communities," said Olivera.

Following are highlights of FPL's five-point Storm Secure Plan:

-- Hardening the Electric Network - FPL's network today meets or exceeds all required safety standards prescribed by the National Electrical Safety Code (NESC). Going forward, FPL will adopt NESC extreme wind velocity zone criteria as its new standard for all new distribution construction and system upgrades (up to 150 mph in certain areas). FPL's conversion to these higher standards will take years to complete. Priority will be given to distribution feeders or main lines serving critical infrastructure facilities and major thoroughfares where businesses that provide basic necessities such as fuel and food are located. Most of FPL's transmission facilities as well as its substations already comply with extreme wind velocity criteria, but those that do not will also be upgraded over time.

The company is also working with independent consultant KEMA to develop a ten-year comprehensive plan for all infrastructure hardening projects. FPL expects to complete this comprehensive road map to improving long-term resiliency of the electric network later this year.

-- Investing in Underground Conversions - FPL is committed to increasing its

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underground facilities. More than 37 percent of its current system is already underground. FPL will further its commitment by offering to invest 25 percent of the cost of converting overhead lines to underground for local government-sponsored conversions. By this action FPL is encouraging local governments to take the necessary steps to invest in conversion.

In addition, FPL will enhance existing efforts with local governments to strongly encourage ordinances requiring developers to provide underground electrical service for all new subdivisions, developments and projects. Furthermore, FPL will support legislation that would require similar action statewide. The company will also support efforts by municipalities to obtain federal or state funding to assist in underground conversions.

-- Pole Inspections - FPL currently uses a three-pronged approach to its inspection of wood poles. The company will modify its pole inspection, record-keeping and reporting so that its more than 1 million wood poles are inspected on a ten-year cycle. FPL's proposal is consistent with the PSC staff recommendation issued last week.

-- Line Clearing/Vegetation Management - FPL is increasing its line-clearing activities by 27 percent in 2006. Each year, the company expects to complete 75 percent of its planned feeder line clearing by July 31. Power lines serving critical infrastructure facilities will be cleared every year by May 31, prior to the start of the hurricane season.

No level of hardening an infrastructure or aggressive line clearing programs will address all trees that are bound to cause trouble during a hurricane. Most trees and other vegetation on private property that pose a threat during a hurricane throughout FPL's service territory are beyond the company's control. For this reason, FPL will continue to promote its "Right Tree, Right Place" program and strongly emphasize that customers select the right kind of trees to plant in backyards and that they plant them away from power lines.

-- Post-hurricane repairs and targeted facility upgrades - FPL customers need to be assured that the damage to FPL's electric grid due to the catastrophic 2005 storm season has been fully repaired before we enter the next hurricane season. The company is committed to doing just that. FPL will continue its post-hurricane follow-up work to repair or replace distribution, transmission and substation facilities that were damaged. Additionally, certain near-term work is being performed to strengthen targeted facilities prior to the onset of the 2006 hurricane season.

FPL's adoption of the NESC extreme wind-loading criteria for distribution facilities will be the first for an electric utility operating in the United States. This will, undoubtedly, have profound long-term benefits to all FPL's customers and the communities it serves.

"We are confident that our Storm Secure Plan will make our system more resilient to hurricanes and result in fewer outages during severe weather events," said Olivera. "When outages do occur, service will be restored faster. We will be building a stronger and more reliable electrical infrastructure for the future."

Florida Power & Light Company is the principal subsidiary of FPL Group, Inc.

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(NYSE:FPL), nationally known as a high quality, efficient and customer-driven organization focused on energy-related products and services. With annual revenues of more than \$10 billion and a growing presence in 26 states, FPL Group is widely recognized as one of the country's premier power companies. Florida Power & Light Company serves 4.3 million customer accounts in Florida. FPL Energy, LLC, FPL Group's wholesale electricity generating subsidiary is a leader in producing electricity from clean and renewable fuels. Additional information is available on the Internet at <http://www.FPL.com>, <http://www.FPLGroup.com> and <http://www.FPLEnergy.com>.

Note to Editors: High-resolution logos and executive head shots are available for download at <http://www.fpl.com/news/contents/logos.shtml> .

SOURCE: Florida Power & Light Company

Florida Power & Light Company, Juno Beach
Mayco Villafana, 305-552-3888